

NOT FOR PUBLICATION

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

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MERRILL LYNCH BUSINESS  
FINANCIAL SERVICES, INC.

Plaintiff,

v.

ARTHUR KUPPERMAN, E. ROSS  
BROWNE, PAULETTE KRELMAN, and:  
PGB INTERNATIONAL, LLC, and JP  
MORGAN CHASE BANK, NATIONAL  
ASSOCIATION,

Defendants.

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**Hon. Dennis M. Cavanaugh**

**ORDER**

Civil Action No. 06-cv-4802(DMC)

\_\_\_\_\_ This matter coming before the Court upon motion by Defendant JP Morgan Chase Bank, N.A. to hold Defendant Arthur Kupperman in contempt of court; to hold that Defendant Arthur Kupperman waived his Fifth Amendment Privilege; to compel Defendant Arthur Kupperman to appear for a deposition at Herrick, Feinstein, LLP; and to carry Defendant Arthur Kupperman's passport application until this motion has been decided. The Court having reviewed all submissions; and for the reasons stated in its Opinion issued on this day,

IT IS on this 23 day of October, 2007;

**ORDERED** that Defendant Arthur Kupperman is in contempt of This Court's Order to Show Cause and Writs of Attachment and Defendant Arthur Kupperman is **ORDERED** to pay Defendant Chase's fees in preparing submissions on this motion once an affidavit of services is presented to and approved by This Court; and it is further

**ORDERED** that Defendant Arthur Kupperman has not waived his Fifth Amendment Privilege; and it is further

**ORDERED** that Defendant Arthur Kupperman shall appear at Herrick Feinstein LLP's Newark, New Jersey offices for a deposition as soon as can be conveniently scheduled and if Defendant Arthur Kupperman fails to appear for the scheduled deposition, further civil contempt fines shall be imposed by This Court; and it is further

**ORDERED** that Defendant Chase's motion to carry Defendant Arthur Kupperman's passport application is moot because of This Court's August 7, 2007 order to return said passport.

S/ Dennis M. Cavanaugh  
Dennis M. Cavanaugh, U.S.D.J.

Original: Clerk's Office  
cc: All Counsel of Record  
The Honorable Mark Falk, U.S.M.J.  
File